

Exhibit A

Isaac N. Sutphin, P.C. (Wyo. State Bar # 6-3711)
Andrea N. Grave (Wyo. State Bar # 8-6702)
HOLLAND & HART LLP
2020 Carey Avenue, Suite 800
P.O. Box 1347
Cheyenne, WY 82003-1347
Telephone: (307) 778-4200
insutphin@hollandhart.com
angrave@hollandhart.com

Scott Thompson (Admitted *pro hac vice*)
Jonathan P. Garvin (Admitted *pro hac vice*)
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C.
555 12th Street NW, Suite 1100
Washington, DC 20004
Telephone: (202) 434-7440
SThompson@mintz.com
JPGarvin@mintz.com
ATTORNEYS FOR PLAINTIFFS
HORIZON TOWER LIMITED, LLC
and HORIZON TOWER, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

HORIZON TOWER LIMITED, LLC and HORIZON
TOWER, LLC,

Plaintiffs,

v.

PARK COUNTY, WYOMING; BOARD OF
COUNTY COMMISSIONERS OF PARK COUNTY,
WYOMING; DOSSIE OVERFIELD, LLOYD
THIEL, LEE LIVINGSTON, SCOTT MANGOLD,
and SCOTT STEWARD, in their official capacity as
Members of the Board of County Commissioners for
Park County, Wyoming;

Defendants

Civil Action No.: Case No. 23-CV-
0037-ABJ

**DECLARATION OF MICHAEL MATHISEN
IN OPPOSITION TO MOTION FOR STAY PENDING APPEAL**

I, Michael Mathisen, declare and state as follows:

1. I am the Director of Corporate Development and Project Manager for Horizon Tower, LLC.

2. I have personal knowledge of the facts set forth herein and if called as a witness, would competently testify thereto.

3. I make this Declaration in support of Horizon's response to the County's Emergency Motion For Temporary Stay Pending Appeal (Dkt. No. 92).

4. Following grant of a special use permit ("SUP") by Park County, it would take Horizon approximately *nine months* before the proposed tower would be constructed. Considering only major milestones, the timeline following grant of the SUP would include the following: First, after receiving the SUP, Horizon would be able to order preparation of a "soils report" that would evaluate the conditions at the proposed site to inform design of the tower foundation. Typically, preparation of the soils report takes approximately 30 days. After receipt of the soils report, Horizon would order tower drawings for design of the tower, which require the soils report to inform the tower foundation design. Horizon would also at the same time be able to order preparation of construction drawings by an architectural and engineering firm. Horizon cannot take these steps until after final SUP approval because any final conditions imposed by the zoning authority must be taken into account in preparing these documents. Typically, preparation of the tower design drawings and construction drawings take approximately 30 days. After receiving the tower design drawings, the construction drawings can be finalized. Once, the construction drawings are finalized, Horizon can submit to the County for a building permit. The typical local government takes approximately 90 days to evaluate construction drawings and grant a building permit. Only once Horizon receives the finally approved building permit can it order the tower structure from the tower manufacturer. Typically, it takes the manufacturer approximately 90 days to deliver the tower structure. At the

time it receives the building permit, Horizon would also hire the contractor and begin initial site construction work that can be performed before the tower structure is delivered.

5. Thus, assuming typical timeframes and estimates based on Horizon's experience, if Park County issued the SUP on October 11, 2024, as ordered by the Court, the proposed tower would not be constructed until approximately July 2025.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED: October 11, 2024.



Michael Mathisen